

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-61754-CV-MIDDLEBROOKS

IN ADMIRALTY

SWEET CAROLINE MARINE, LTD,

Plaintiff,

v.

M/Y SWEET CAROLINE, and  
AVYC, LLC, *in personam*.

Defendant(s).

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**ORDER DIRECTING THE RELEASE OF A VESSEL**

THIS CAUSE comes before the Court upon Plaintiff's Motion for Release of a Vessel (DE 23) and Plaintiff's Notice of Dismissal (DE 22), both filed on November 28, 2023. Plaintiff represents that the Parties have reached an agreement and that Plaintiff requests that this Court issue an Order to release the Sweet Caroline Marine, LTD back to her owners.

Plaintiff has also filed a Notice of Dismissal Without Prejudice. (DE 22). Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, a plaintiff may voluntarily dismiss an action by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A)(i). Defendant has served neither. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

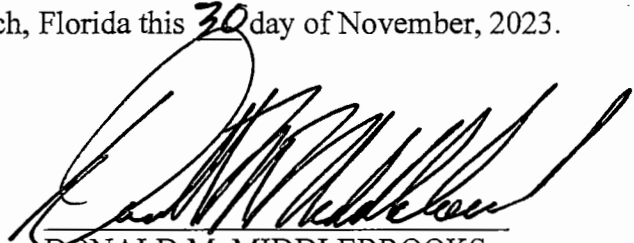
1. Plaintiff's Motion for Release (DE 23) is **GRANTED**.

1) In accordance with Supplemental Rule E(5) and Local Admiralty Rule E(8)(a), the United States Marshal and Substitute Custodian holding the vessel, SWEET CAROLINE MARINE, LTD are directed to release SWEET CAROLINE MARINE,

LTD and any other property being held in custody in this action to the Owner, AVYC, LLC or its authorized agent.

- 2) This case is **DISMISSED WITHOUT PREJUDICE**.
- 3) The Clerk of Court shall **CLOSE THE CASE**.
- 4) All pending motions are **DENIED AS MOOT**.

SIGNED in Chambers at West Palm Beach, Florida this 30 day of November, 2023.

A handwritten signature in black ink, appearing to read 'Donald M. Middlebrooks', is written over a horizontal line.

DONALD M. MIDDLEBROOKS  
UNITED STATES DISTRICT JUDGE

Cc: Counsel of Record